

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 28TH MARCH 2007 / 7TH CHAITHRA 1929

Bail Appl..No. 1828 of 2007()

CRIME NO.161/2006 OF RAMANKARI POLICE STATION

PETITIONER/ACCUSED

SUNILKUMAR @ SUNIACHAN,
COLONY NO.26, BIJU BHAVAN,
MAMPUZHAKARI, RAMANKARI P.O.

BY ADV. SRI.SAIBY JOSE KIDANGOOR
SRI.BENNY ANTONY PAREL

RESPONDENTS: STATE & COMPLAINANT

1. STATE OF KERALA, REP. BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA.
2. SUB INSPECTOR OF POLICE,
RAMANKARI POLICE STATION.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 28/03/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1828/2007

Dated this 28th day of March, 2007

O R D E R

The petitioner, who is the accused in Crime No.161/2006 of Ramankari Police Station for offences punishable under Sections 8(2) and 55(a) of the Abkari Act for allegedly having been found in possession of ten litres of illicit arrack on 30.12.2006 at 4.00 p.m and who allegedly escaped on seeing the police party, seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Magistrate having jurisdiction and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed, bearing in mind the decision reported in **Sukumari v. State of Kerala (2001 (1) KLT 22)**.

The application is disposed of as above.

**V.RAMKUMAR,
JUDGE**

mrCS

